

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

| | | |
|------------------------|---|---------------------------|
| HERITAGE GUITAR, INC., |) | |
| |) | |
| Plaintiff, |) | |
| |) | Case No. 20-cv-229 |
| vs. |) | |
| |) | Honorable Hala Y. Jarbou |
| GIBSON BRANDS, INC., |) | |
| |) | Magistrate Judge Ray Kent |
| Defendant. |) | |
| |) | |

**DEFENDANT’S UNOPPOSED MOTION TO SEAL EXHIBIT A & B TO THE
MOTION TO EXCLUDE THE UNTIMELY DECLARATIONS OF TIMOTHY SHAW
AND TOM ANDERSON**

Defendant Gibson Brands, Inc. (“Gibson”) hereby files this Unopposed Motion to Seal Exhibits A and B to the Motion to Exclude the untimely declarations of Timothy Shaw and Tom Anderson. This Motion is made pursuant to Fed. R. Civ. P. 5.2 and Western District of Michigan Local Rule 10.6.

This is a trademark case involving highly confidential information to Plaintiff Heritage Guitar, Inc. and Defendant Gibson Brands, Inc., as well as a number of third parties. To address this issue, the parties agreed to, and the Court entered, a protective order limiting the disclosure of certain confidential information [Dkt. #99]. As set forth in the parties’ protective order, information marked “Highly Confidential Outside Attorneys’ Eyes Only” includes “trade secrets within the meaning of the Defend Trade Secrets Act and all information and materials that the disclosing party has reasonable grounds to believe would, if known to any officer, director, employee, or argent of a receiving party, or to the public, lead to significant harm or injury to the reputation and/or business of the disclosing part or provide improper advantage to others” [Dkt. #99 ¶2].

Exhibits A & B to Gibson's Motion to Exclude the untimely declarations of Timothy Shaw and Tom Anderson contains information that is not publicly available in regards to the declarations of Timothy Shaw and Tom Anderson that have been marked as Highly Confidential Attorneys' Eyes Only.

Counsel certifies that on June 10, 2022, counsel for Defendant Gibson Brands, Inc. conferred with counsel for Plaintiff, who indicated that they are not opposed to the motion.

Dated: June 10, 2022

BATES & BATES, LLC
Attorneys for Defendant

/s/ Kurt Schuettinger
Andrea E. Bates
Pro Hac Vice
Kurt Schuettinger
Pro Hac Vice
Bates & Bates, LLC
1890 Marietta Boulevard NW
Atlanta, Georgia 30318
Telephone: (404) 228-7439
Facsimile: (404) 963-6231
abates@bates-bates.com
kschuettinger@bates-bates.com

Steven Susser
Carlson, Gaskey & Olds, P.C.
400 W Maple Road, Ste 350
Birmingham, MI 48009
(248) 283-0734
ssusser@cgolaw.com

CERTIFICATE OF SERVICE

I hereby certify that on June 10, 2022, I electronically filed the foregoing paper with the Clerk of Court using the ECF system, which will send notification of such filing to counsel of record.

Dated: June 10, 2022

BATES & BATES, LLC
Attorneys for Defendant

/s/ Kurt Schuettinger
Kurt Schuettinger